

D. Michael Lynn  
 State Bar I.D. No. 12736500  
 John Y. Bonds, III  
 State Bar I.D. No. 02589100  
 John T. Wilson, IV  
 State Bar I.D. No. 24033344  
 Bryan C. Assink  
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ATTORNEYS FOR DEFENDANT JAMES DONDERO

**IN THE UNITED STATES BANKRUPTCY COURT  
 FOR THE NORTHERN DISTRICT OF TEXAS  
 DALLAS DIVISION**

<b>In re:</b>	§	<b>Case No. 19-34054</b>
	§	
<b>HIGHLAND CAPITAL MANAGEMENT, L.P.</b>	§	<b>Chapter 11</b>
	§	
<b>Debtor.</b>	§	

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<b>HIGHLAND CAPITAL MANAGEMENT, L.P.,</b>	§	
	§	
<b>Plaintiff.</b>	§	
	§	
<b>v.</b>	§	
	§	
<b>JAMES D. DONDERO,</b>	§	<b>Adversary No. 20-03190</b>
	§	
<b>Defendant.</b>	§	

**JAMES DONDERO’S AMENDED WITNESS AND EXHIBIT LIST**

Defendant James Dondero (“Dondero”) hereby files this Amended Witness and Exhibit List with respect to the hearing on *Plaintiff’s Motion for an Order Requiring Mr. James Dondero to Show Cause Why He Should not be Held in Civil Contempt for Violating the TRO* [Adv. Dkt. 48] and *Debtor’s Memorandum of Law in Support of Motion for an Order Requiring Mr. James Dondero to Show Cause Why He Should Not Be Held in Civil Contempt for Violating the TRO*

[Adv. Dkt. 49] (collectively, the “Contempt Motion”) set for hearing on February 5, 2021 at 9:30 a.m. (the “Hearing”) in the above-styled adversary proceeding (the “Adversary Proceeding”).

**A. Documents that Dondero may use as exhibits:**

<b>Dondero Exhibit No.</b>	<b>Description</b>	<b>Offered</b>	<b>Objection</b>	<b>Admitted by Agreement</b>	<b>Admitted</b>
1.	Amended and Restated Shared Services Agreement, dated effective as of January 1, 2018, by and between Highland Capital Management, L.P. and NexPoint Advisors, L.P.				
2.	Second Amended and Restated Shared Services Agreement by and between Highland Capital Management, L.P. and Highland Capital Management Fund Advisors, L.P., dated February 8, 2013				
3.	Debtor’s Responses and Objections to Defendant James Dondero’s First Set of Discovery Requests to Highland Capital Management, L.P.				
4.	Debtor’s Notice of Termination of Shared Services Agreement with NexPoint Advisors, L.P. effective January 31, 2021				
5.	Debtor’s Notice of Termination of Shared Services Agreement with Highland Capital Management Fund Advisors, L.P. effective January 31, 2021				
6.	Employee Handbook of Highland Capital Management, L.P.				
7.	Debtor’s Response to Mr. James Dondero’s Motion for Entry of an Order Requiring Notice and Hearing for Future Estate Transactions Occurring Outside the Ordinary				

	Course of Business [Docket No. 1546]				
8.	Subpoena on Jason Rothstein and Return of Service of Subpoena				
9.	Email from Debtor's counsel to Dondero's counsel, dated December 23, 2020				
10.	Dondero's Objections and Responses to Debtor's First Request for Production				
	Any document or pleading filed in the above-captioned bankruptcy case or adversary proceeding				
	Any exhibit necessary for impeachment or rebuttal purposes				
	Any and all documents identified or offered by any other party				

Dondero reserves the right to supplement this Exhibit List should he determine that any other document may be helpful to the trier of fact, whether in his case in chief or rebuttal.

**B. Witnesses that Dondero may call to testify:**

1. James Dondero;
2. James P. Seery, Jr.;
3. Scott Ellington;
4. Isaac Leventon;
5. Jason Rothstein;
6. Any and all other witnesses identified or called by any other party; and
7. Any witness necessary for rebuttal.

Dondero reserves the right to supplement this Witness List should he determine that any

other witness may be helpful to the trier of fact, whether in his case in chief or rebuttal.

Dated: February 2, 2021

Respectfully submitted,

/s/ Bryan C. Assink

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**ATTORNEYS FOR DEFENDANT JAMES DONDERO**

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on February 2, 2021, a true and correct copy of the foregoing document with exhibits was served via the Court's CM/ECF system on all parties requesting or consenting to such service in this case.

/s/ Bryan C. Assink

Bryan C. Assink